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FACSIMILE COVER SHEET

TO: Jon Lachel

FROM: Michael Harlin

DATE: June 25, 2003

CLIENT: 1723-13001US01

APPLICATION NO. 09/752,857

FACSIMILE NO.: (703) 305-8568

NUMBER OF PAGES (Including Cover Page): 3

MESSAGE:

We exchanged voicemail messages earlier this week. Enclosed are the Request to Rescind and date-stamped postcard. Please feel free to call me with any questions.

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PTO/SB/38 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

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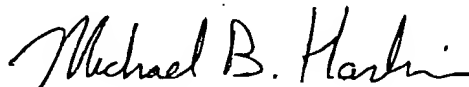
**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number	09/752,857
Filing Date	December 28, 2000
First Named Inventor	G. Patrick Stahly
Title	Methods Of Searching For Solid Forms And Screening A Sample According To Its Forms
Atty Docket Number	13001US01
Group Art Unit	1764
Examiner	

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

12/11/01

Date



Signature

**PROCESSED BY
PG PUB DIVISION****JUN 25 2003**Michael B. Harlin, Reg. No. 43658

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is not filed within forty-five days (45) days after the date of filing of the foreign or international application.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box PG Pub, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) **Michael B. Harlin**

Signature



Date

December 11, 2001

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Sir: Please place the USPTO receipt stamp hereon and place in outgoing mail to acknowledge receipt of:

Docket No: 1723-13001US01
Applicant: G. Patrick Stahly et al.
Serial No.: 09/752,857
Filed: December 28, 2000

☐ Transmittal
☐ Fee \$
☐ Patent Application including:
 ☐ Page(s) Cover Sheet
 ☐ Page(s) Specification
 ☐ Page(s) Claims #
 ☐ Page(s) Abstract
 ☐ Page(s) Drawings Formal Informal
☐ Response to Notice of Missing Parts
☐ Declaration & POA Signed Unsigned
☐ Amendment Page(s)
☐ Assignment Page(s) Cover Sheet Page(s)
☐ IDS with PTO-1449 Page(s)
☐ Cited References
☒ Other: Request To Rescind Previous
 Nonpublication Request
 35 U.S.C. 122(b)(2)(B)(ii)
☒ Certificate of Mailing as dated below
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Dated: December 11, 2001

Respectfully: **McANDREWS, HELD & MALLOY, LTD.**
Attorneys for Applicant



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/752,857	12/28/2000	G. Patrick Stahly	13001US01

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CONFIRMATION NO. 453

 OC000000010378938

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Date Mailed: 06/27/2003

NOTICE REGARDING RESCISSION OF NONPUBLICATION REQUEST

Applicant's rescission of the previously-filed nonpublication request is acknowledged. The rescission has been reflected in the Office's computer records so that the earliest possible projected publication date can be assigned.

The projected publication date is 10/09/2003.

If the applicant filed the application with a nonpublication request and then subsequently filed an application directed to the invention disclosed in the application with the nonpublication request in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, applicant was required to provide notice of foreign filing within 45 days after the date of the filing of such foreign or international application. If the rescission did not contain the notice of foreign filing (e.g., the PTO/SB/36, version 10/01 was not used), or if the notice of foreign filing was not filed within the 45 day period, the application is ABANDONED, and a petition under 37 CFR 1.137(b)/(f) is required to be filed. (See 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c).)

Any petition, filed with the rescission, under 37 CFR 1.137(b)/(f) to revive the application is being forwarded to the Office of Petitions for a decision. Note that the filing of the petition will not operate to stay any period of reply that may be running against the application.

Questions regarding petitions to revive should be directed to the Office of Petitions at (703) 305-9282. Questions regarding publications of patent applications should be directed to the patent application publication hotline at (703) 605-4283 or by e-mail pgpub@uspto.gov.